Patrick L. Shorty Red Rock Correctional Lenter 1752 E Arica Road Eloy, Arizona 85231 RECEIVED

MAR 0 3 2008 CLERK, U.S. DISTRICT COURT ANCHORAGE, ALASKA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

PATRICK L. SHORTY,

Plaintiff.

¥5.

MUNICIPALITY OF ANCHORAGE, OFFICER ANDREW COTTLE, INDIVIOUALLY AND IN HIS CAPACITY AS AN ANCHORAGE POLICE OFFICER, OFFICER WITTE, INDIVIOUALLY AND IN HIS CAPACITY AS AN ANCHORAGE POLICE OFFICER, KENNETH O. MCCOY, INDIVIDUALLY AND IN HIS CAPACITY AS AN ANCHORAGE POLICE OFFICER

Defendants.

Case No. 3:05\_CV-00237-TMB

AFFIDAVIT OF PATRICK L. SHORTY IN SUPPORT OF

PLAINTIFF MOTION FOR CONTINUANCE TO RESPOND

TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Patrick L. Shorty being duly sworn upon oath deposes and states as follows:

- I. I am currently acting Pro Se and to this day am still seeking to find a lawyer to represent me, I am a prisoner and was transferred from Alaska D.O.C. to Eloy, Arizona.
- 2. Access To the Courts, the First Amendment guarantees the right to "petition the government for a redress of grievances." U.S. CONST. amend. I. Prisoners have a specific constitutional right to file civil rights lawsuits. Lewis v. Casey, 518 U.S. 343, 355 (1996).
- 3. Eloy, Arizona Law hibrary does not meet the Alaska Statutory Law, AS 33.30.193 in following this statutory mandate, the Alaska Department of Corrections requires that each institution provide every prisoner with access to a law library, library assistance, and supplies for preparing legal pleadings.

H. Here in Eloy, Arizona, the law library do not have typing ribbons (02-23-2008) for the two typewriters, have only two working computers, no legal books to help file legal pleadings or correspondance.

- 5. This facility does not provide: Police Misconduct Handbook: Law and Litigation, Avery, Michael, 2d Ed., New York; Clark Boardman, 1980. Manual For Prison Law Libraries, werner, O. James, Rothman. These are seriously important needs that are not placed in this small law library.
  - 6. This facility allows only 5 prisoners to enter the law library and it is hard to get a computer time and the typewriters are also always being used, With over 350 inmates housed in Golf Unit.

7. This facility was on security lock down by: Warden Bruno Stole. See REQUEST FOR SERVICES

8. I am in need of a continuance and I have provided reasons to this court.

Futher affiant sayeth naught.
Dated this 23 day of February 2008

Patrick L. Shorty

Notary Public In and For Arizona

My Commission Expires 3-14-2011



## certificate of Service

The undersigned certifies that on <u>0212312008</u> I mailed by U.S. Mail a true and correct copy of the foregoing to:

Elizabeth D. Friedman Municipal Attorney's Office P.O. Box 196650 Anchorage, AK 99519-6650 

## REQUEST FOR SERVICE

DECEIVE D FEB 19 2008

Disposition/Response Salaty and Security are paramount. The Search of this Sacility was conducted to ensure that dangerous Contraband was not present.  Staff Member Date  Appointment to meet with staff  Staff member signature  Location of meeting	Inmate Name PATRICK SHORTY	Number 135738	Housing Location GA-63 A
the operations and management that this private prison acted in a harsh treatment that violated the agreement with state of Alaska and also in direct violation organist the Federal Censtitutional Amendments. During this entire I week lock down, I was rever given a regular I how out of cell movement to contact my family and attorney by telephone. Also the food services was not properly served to me and I feel mistreated with this services, was not properly served to me and I feel mistreated with this services, because I had to eat cold food services. And sack lunches that had stink meat in a baggie to eat, that was handed to me early in the morning during breaktast and no retiridge ration to keep it placed for my feel to remain fresh and not skink. I had done no wrong to receive this unconstitutional treatment and would like answers to why I was receiving this deprevations that should not be used and or practiced on my. Please tell me what wrong I have done that was in violation(s) of the state and Federal Lows.  **Do NOT WRITE BELOW THIS LINE**  **Do NOT WRITE BELOW THIS LINE**  **Do NOT WRITE BELOW THIS LINE**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Appointment to meet with staff**  **Staff member name**  **Staff member signature**  **Location of meeting**  **NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.**	To CCA Red Rock Correctional Co	enter Warden	Date 02-17-2008
the operations and management that this private prison acted in a harsh treatment that violated the agreement with state of Alaska and also in direct violation organist the Federal Censtitutional Amendments. During this entire I week lock down, I was rever given a regular I how out of cell movement to contact my family and attorney by telephone. Also the food services was not properly served to me and I feel mistreated with this services, was not properly served to me and I feel mistreated with this services, because I had to eat cold food services. And sack lunches that had stink meat in a baggie to eat, that was handed to me early in the morning during breaktast and no retiridge ration to keep it placed for my feel to remain fresh and not skink. I had done no wrong to receive this unconstitutional treatment and would like answers to why I was receiving this deprevations that should not be used and or practiced on my. Please tell me what wrong I have done that was in violation(s) of the state and Federal Lows.  **Do NOT WRITE BELOW THIS LINE**  **Do NOT WRITE BELOW THIS LINE**  **Do NOT WRITE BELOW THIS LINE**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Date:**  **Appointment to meet with staff**  **Staff member name**  **Staff member signature**  **Location of meeting**  **NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.**	Subject (State briefly the problem on which	you need assistance) I am sa	adly agarieved with
treatment theat violated the agreement with State of Alaska and also in direct violation against the Federal Constitutional Amendoments, During this entire I week look down, I was never given a regular I how out of cell movement to contact my family and attorney by telephone. Also the food services was not properly served to me and I feel mistreated with this services was not properly served to me and I feel mistreated with this services, because I had to eat cold food services. And sack lunches that had stink meet in a baggic to eat, that was headed to me early in the morning during breakfast and no refridgeration to keep it placed for my food to remain fresh and not stink. I had done no wrong to receive this unconstitutional treatment and would like answers to what I was receiving this depresations that should not be used and or grachized on me. Please tell me what wrong I have done had was in violation(s) of the State and Federal Laws. Patick Charly # 135738  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  **DO NOT WRITE BELOW THIS LINE**  Disposition/Response Salety and Security are paramount. The Search of this facility was Conducted to ensure that dangerous Contactand Lucas hat present.  **Disposition/Response Salety and Security are paramount.**  **Date:**    Date:	the operations and managemen	t that this private prise	nacted in a harsh
Neek lock down, I was never given a regular I how out of cell movement to contact my family and attorney by telephone. Also the food services was not properly served to me and I feel mistreated with this services was not properly served to me and I feel mistreated with this services, because I had to eat cold food services. And sack lunches that had stink meet in a begin to eat, that was hended to me early in the morning during breekfast and no retridgeration to keep it placed for my feel to remain fresh and not stink. I had done no wrong to receive this wiconstitutional treatment and would like answers to why I was receiving this deprevations that should not be used and or practiced on me. Please tell me what wrong I have done hat was in violation(s) of the state and Federal Laws.  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  DO NOT WRITE BELOW THIS LINE  Referred To:  By:  Date:  Disposition/Response Salety and Security are paramount. The Search of Whis facility was conducted to ensure that dargerous contraband was but present.  Staff member hame  Staff member signature  Location of meeting  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	treatment that violated the agri	eement with State of Alask	ca and also in direct
Services was not properly served to me and I feel mistreated with this services was not properly served to me and I feel mistreated with this services, bus not properly served to me and I feel mistreated with this services, and sack lunches that had stink meat in a baggie to eat, that was hunded to me early in the morning during breakfast and no reFridgeration to keep it placed for my feel to remain feels and not stink. I had done no wrong to releive this unconstitutional treatment and would like answers to what I was receiving this deprenations that should not be used and or practiced on me. Please tell me what wrong I have done that was in violation(s) of the state and Federal Laws. Patick Shorty # 135738  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  DO NOT WRITE BELOW THIS LINE  Referred To:  By:  Date:  Disposition/Response Sality and Security are paramount. The Search of this facility than conducted to examp that dangenous conducted to meet with staff  Staff member name  Staff member signature  Location of meeting  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	Miolation against the Federal Co	enstitutional Amendmen	its, puring this entire
Services, because I had to eat cold took services. And sack lunches that had stink meat in a baggie to eat, that was handed to me early in the morning during breakhast and no retridgered on to keep it placed for my find to remain fresh and not stink. I had done no wrong to receive this unconstitutional treatment and would like answers to why I was receiving this deprevations that should not be used and or practiced on me. Please tell me what wrong I have done that was in violation(s) of the state and Federal Laws. Paticle Shorty # 135738  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  DO NOT WRITE BELOW THIS LINE  Referred To:  By:  Date:  Disposition / Response Salaty and Security are parameant. The Search of this lacility was conducted to exam that dangerous Contraband was het present.  Staff Member  Date  Appointment to meet with staff  Staff member name  Staff member signature  Location of meeting  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	ment to contact My family a	nd attorney by telepho	one Also the food
Services, because I had to eat cold took services. And sack lunches that had stink meat in a baggie to eat, that was handed to me early in the morning during breakhast and no retridgered on to keep it placed for my find to remain fresh and not stink. I had done no wrong to receive this unconstitutional treatment and would like answers to why I was receiving this deprevations that should not be used and or practiced on me. Please tell me what wrong I have done that was in violation(s) of the state and Federal Laws. Paticle Shorty # 135738  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  DO NOT WRITE BELOW THIS LINE  Referred To:  By:  Date:  Disposition / Response Salaty and Security are parameant. The Search of this lacility was conducted to exam that dangerous Contraband was het present.  Staff Member  Date  Appointment to meet with staff  Staff member name  Staff member signature  Location of meeting  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	services was not properly ser	ved to me and I feel M	istreated with this
in the morning during breakfast and no retridgeration to keep it placed for my food to remain fresh and not shink. I had done no wrong to receive this unconstitutional treatment and would like answers to what I was receiving this deprenations that should not be used and or practiced on me. Please tell me what wrong I have done that was in violation(s) of the State and Federal Lows. Patrick Shorty # 135738  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  DO NOT WRITE BELOW THIS LINE  Referred To:  By:  Date:  Disposition/Response Salety and Security are paramount. The Search of this facility twas conducted to ensure that dangenous contraband was that present.  Appointment to meet with staff  Staff member name  Staff member name  Staff member signature  Location of meeting  Date  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	services because I had to ea	at cold food services. A	nd sack lunches
Staff member name  Staff member name  Appointment to meet with staff  Staff member name  Staff member name  Staff member name  Staff member signature  Date  Appointment to meet with staff  Staff member signature  Location of meeting  Date  NOTE: If this area is filled out it will be your pass to meet  with requesting staff member at the designated time.	that had stink meat in a baga	sie to eat, that was ha	nded to me early
this unconstitutional treatment and would like answers to why I was receiving this deprevations that should not be used and or gracticed on me. Please tell me what wrong I have done has was in violation(s) of the state and Federal Laws. Patick Charty # 135738  Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.  DO NOT WRITE BELOW THIS LINE  Referred To:  By:  Date:  Disposition / Response Salety and Security are paramount. The Search of this lacility was conducted to ensure that dargenous Contraband was het present.  Appointment to meet with staff  Staff member name  Staff member signature  Location of meeting  Date  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	for the morning during breaking	st and no retridgeration	a to keep it placed
Referred To:    By:   Date:	this unconstitutional treatment	and would like answ	ers to why I was
Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.    DO NOT WRITE BELOW THIS LINE			
Note: If necessary, you may be interviewed in order to handle your request. Your failure to specifically state your problem may result in no action being taken.    DO NOT WRITE BELOW THIS LINE	on me. Please tell me what	wrong I have done to	nat was in violation(s)
DO NOT WRITE BELOW THIS LINE  Referred To: By: Date: Disposition / Response Salety and Security are paramount. The Search of This Sacrety was Conducted to ensure that dangerous Contraband was hat present.  Appointment to meet with staff  Staff member name Staff member signature Location of meeting NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	of the State and Federal Law	s, Patrick 8	horty # 135738
Referred To:	· · · · · · · · · · · · · · · · · · ·		Your failure to specifically state
Disposition/Response Salety and Security are paramount. The Search of this Sacility was conducted to ensure that dangerous Contraband was hot present.    Date	DO NOT	WRITE BELOW THIS LINE	
Staff Member  Appointment to meet with staff  Staff member name Staff member signature Location of meeting Date  NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	Referred To:	By:	Date:
Staff Member Date  Appointment to meet with staff  Staff member name Staff member signature Location of meeting NOTE: If this area is filled out it will be your pass to meet Time Date with requesting staff member at the designated time.	Disposition/Response Salety and of this facility was Contraband was not pre	d Security are par conducted to ensure	ramount. The Search in that dangerous
Staff Member Date  Appointment to meet with staff  Staff member name Staff member signature Location of meeting NOTE: If this area is filled out it will be your pass to meet Time Date with requesting staff member at the designated time.	<del></del>		
Staff Member Date  Appointment to meet with staff  Staff member name Staff member signature Location of meeting NOTE: If this area is filled out it will be your pass to meet Time Date with requesting staff member at the designated time.			-
Staff Member Date  Appointment to meet with staff  Staff member name Staff member signature Location of meeting NOTE: If this area is filled out it will be your pass to meet Time Date with requesting staff member at the designated time.			
Staff member name  Staff member signature  Location of meeting  Date  NOTE: If this area is filled out it will be your pass to meet  with requesting staff member at the designated time.	Bruno Staff Member		2-20-08 Date
Staff member signature  Location of meeting NOTE: If this area is filled out it will be your pass to meet with requesting staff member at the designated time.	Appoi	intment to meet with staff	
Location of meeting NOTE: If this area is filled out it will be your pass to meet  Time Date with requesting staff member at the designated time.			
Time Date with requesting staff member at the designated time.	·		
			illed out it will be your pass to meet
If no appointment is required initial here			ember at the designated time.
	If no appointment is required initial here		

Floy, Arizona 85231 Patrick Shorty # 135738 Red Rock Correctional Center 1752 E Arica Road

United States District Court

RRR W. 1th Avenue, # Creck's office

Anchorage, Alaska 99513-756-

The second secon

